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REMARKS/ ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claim Rejections

Examiner rejected claims 1-3 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,815,126 (hereinafter "Fan").

The Examiner has also rejected claims 4-15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,815,126 (hereinafter "Tamura").

To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). (Manual of Patent Examining Procedure (MPEP) ¶ 2143.03).

Independent claims 1, 8 and 13 of the present application include limitations not disclosed or taught by the Fan nor Tamura. As a result, applicant's independent claims 1, 8 and 13 are not anticipated Fan, and are pataenbale over Fan in view of Tamura.

In particular, applicant's amendment independent claims include the limitations of a headset having a receiver to receive a display command through a wireless link,

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including to receive a compressed bitmap file for a video frame; and a processor coupled to render an image according to the display command, including to decompress the bitmap file for the video frame.

The examiner indicates that Tamura discloses the transmission of video in a compressed format, and that it would have been obvious to combine the disclosure of transmitting compressed video from Tamura with the headset of Fan. Applicant respectfully disagrees.

Tamura is limited to disclosing the wireless transmission of compressed video data to a terminal to be decompressed. Tamura does not disclose nor suggest the wireless transmission of compressed video data to a headset to be decompressed, or some alternative thin client processing device.

Applicants respectfully submit that it would not have been obvious to combine Tamura and Fan because there would have been no reasonable expectation of successfully combining the Tamura's wireless transmission of compressed videodata to the headset of Fan to be decompressed, or some alternative thin client processing device, at the time Tamura was invented. (See Manual of Patent Examining Procedure ¶ 2143.02; See also *In re Rinehart*, 531 F.2d 1048, 189 USPQ 143 (CCPA 1976), and *Ex parte Erlich*, 3 USPQ2d 1011 (Bd. Pat. App. & Inter. 1986)

Moreover, applicant respectfully submits that to suggest combining the Tamura's wireless transmission of compressed videodata to the headset of Fan to be decompressed and displayed would be an attempt to use impermissible hindsight afforded by applicants' claimed invention. (See MPEP ¶ 2141.01 and

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W.L. Gore & Associates, Inc. V. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984).

Therefore, applicant's independent claims 1, 8 and 13 include limitations that are not disclosed nor suggested by the Fan nor Tamura, and independent claims are patentable over Fan in view of Tamura.

Applicant's remaining claims depend from at least one of the independent claims discussed above, and therefore include the distinguishing claim limitations as discussed above. As a result, Applicant's remaining claims are also patentable.

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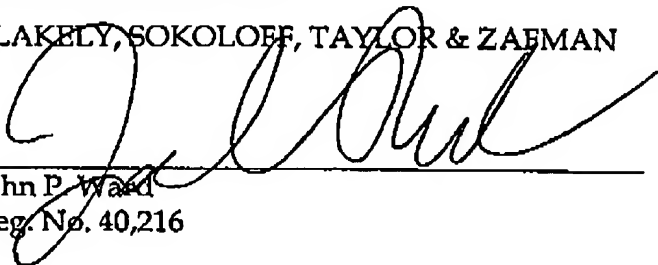
CONCLUSION

Applicant respectfully submits the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAEMAN



Date: 09/10/2003

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